

Message Text

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ACTION OES-04

INFO OCT-01 EA-06 ISO-00 FEA-01 ACDA-05 CIAE-00 INR-07

IO-10 L-03 NSAE-00 NSC-05 EB-07 NRC-05 SSO-00 INRE-00

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 1149

USERDA GERMANTWON MD IMMEDIATE

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ERDA PLEASE PASS TO NRC COMMISSIONERS ANDERS, ROWDEN, MASON,
KENNEDY, GILINSKY AND TO LAFLEUR AND BROWN

E.O. 11652: N/A

TAGS: TECH, JA

SUBJ: NRC APRIL 26 PRESS RELEASE

REF: TOKYO 7016

1. REFTEL QUOTES LETTER FROM YOSHIOKA, MANAGING DIRECTOR
JAPCO TO ERDA TOKYO SCIREP DTD MAY 28, 1975. LETTER STATES
OBJECTION OF JAPANESE UTILITIES TO NRC RELEASE OF APRIL 26.
RELEASE REFERRED TO FOREIGN REACTOR SUBSEQUENTLY IDENTIFIED
AS FUKUSHIMA 2 AND WAS MADE PRIOR TO JAPANESE RELEASE AND
WITHOUT SUFFICIENT TIME FOR JAPANESE CONCURRENCE. DURING
VISIT NRC TEAM TO TOKYO WEEK JUN 9, LAFLEUR PROMISED NRC
RESPONSE SOON. NO RESPONSE YET RECEIVED.

2. NEW LETTER, MORE STRONGLY WORDED, FROM AKIO NOMURA,
DIRECTOR, NUCLEAR POWER DEVELOPMENT CENTER, TOKYO ELECTRIC
POWER CO., ALSO ADDRESSED TO ERDA TOKYO SCIREP, RECEIVED
YESTERDAY. TEXT OF LETTER FOLLOWS. QUOTE. DEAR MR HENoch:
REGARDING THE NEWLY PROPOSED REGULATION 10CFR 21, YOU MAY
KNOW THE AFTERMATH IN JAPAN OF THE U.S. NUCLEAR REGULATORY
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COMMISSION'S (HEREAFTER USNRC) NEWS RELEASE IN WASHINGTON

D.C. OF APRIL 26TH, 1975, IN WHICH USNRC REFERRED TO THE ANOMALY OF THE TIP TRACE AT FUKUSHIMA NO. 1 SITE NUCLEAR POWER PLANT UNIT 2 OF THE TOKYO ELECTRIC POWER CO., INC. (HEREAFTER TEPCO). THIS ANNOUNCEMENT CREATED CONFUSION IN JAPAN AND GAVE AN IMPACT NOT ONLY TO OUR COMPANY, BUT ALSO TO THE GOOD RELATIONSHIP AMONG GE, THE JAPANESE GOVERNMENT REGULATORY OFFICES, AND US, AND HAS ALSO CREATED SUSPICIONS IN THE PUBLIC MIND ABOUT THE JAPANESE REGULATORY OFFICES.

PARA. FOR USNRC'S ATTENTION AND CONSIDERATION, WE HEREBY PRESENT OUR OPINION ON THIS MATTER.

1. UNDER THE AGREEMENT, GE, AS SUPPLIER, HAS ACCESS TO CONFIDENTIAL OPERATIONAL DATA ON OUR BWR PLANTS, HOWEVER, GE IS NOT AUTHORIZED TO RELEASE SUCH INFORMATION WITHOUT OUR PRIOR APPROVAL.

IT IS HARD FOR US TO BELIEVE, THAT GE WAS RECENTLY FORCED TO DISCLOSE OUR DATA TO USNRC UNDER THE U.S. LAW.

2. IF GE'S INTERPRETATION AS TO VIOLATION OF 10CFR21 IS LEGITIMATE, OUR CONFIDENTIAL DATA MAY AGAIN BE PUBLICLY RELEASED BY USNRC THROUGH GE. WE ARE AFRAID THAT THIS WOULD CONSTITUTE A SERIOUS VIOLATION OF INTERNATIONAL TRADE PRACTICE, AND THAT OUR CORPORATION'S RIGHTS AS AN OWNER OF PROPRIETARY INFORMATIONS WOULD THEREFORE BE FEFILED. AND THIS IS ALSO KEY INTEREST AMONG JAPANESE REGULATORY OFFICES.

3. IN VIEW OF THE ABOVE-MENTIONED CIRCUMSTANCES, WE SHALL SET A LIMITATION ON THE PRESENTATION OF DATA RELATING TO THE TIP TRACE TO GE, EXCEPT IN THE CASE OF INFORMATION TO U.S. GOVERNMENT THROUGH DIPLOMATIC CHANNEL FROM OUR GOVT. ALTHOUGH THIS IMPEDIMENT TO THE EXCHANGE OF INFORMATION BETWEEN GE AS OUR SUPPLIER AND US IS NOT DESIRABLE, WE CANNOT PREVENT IT, UNLESS WE CAN FIND WE ARE FREE OF DISTURBANCE TO OUR COMPANY'S RIGHTS.

PARA. MOREOVER, IF SUCH INTERPRETATION OF THE REGULATION IS VALID, WE MUST CALL YOUR ATTENTION TO THE EVENTUAL CONSEQUENCE THAT GE WILL HAVE DIFFICULTIES IN ITS FUTURE MAR-LIMITED OFFICIAL USE

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KETING IN JAPAN.

4. TO AVOID FUTURE CONFUSION CAUSED BY USNRC'S NEWLY PROPOSED 10CFR21, WE DO HOPE THAT USNRC EXPEMPTS GE FROM COMPLYING WITH THE REPORTING OBLIGATION AT LEAST FOR DATA OBTAINED FROM GE'S PLANTS EXPORTED TO JAPAN.

5. REGARDLESS OF THE NEWS SOURCES, WE BELIEVE THAT NO ONE

WILL GET BENEFIT FROM NEWS RELEASES IN THE U.S. ON AN INCIDENT OF A FOREIGN REACTOR. WE SINCERELY REQUEST NRC TO UNDERSTAND EXISTENCE OF THE DIFFERENT CUSTOM AND PRACTICE IN A DIFFERENT COUNTRY.

PARA. AS WE HAVE ALREADY DECLARED, OUR STRONG INTENTION IS TO COOPERATE WITH THE USNRC AS MUCH AS POSSIBLE.

PARA. CONSEQUENTLY EVEN IF THE ABOVE-MENTIONED REQUEST IS ACCEPTED BY THE NRC, THERE SHOULD BE NO HARM FROM (SIC) MAINTAINING THE SAFETY OF NUCLEAR REACTORS.

PARA. WE WILL ASK USNRC'S KIND CONSIDERATION IN REGARD TO OUR ITEMS 4/5.

PARA. APPRECIATING YOUR FURTHER COOPERATION, WE REMAIN, YOURS TRULY, AKIO NOMURA. UNQUOTE.

3. SCIREP REQUESTS NRC RESPONSE TO CORRESPONDENCE. IF FORMAL POSITION NOT YET DEVELOPED PLEASE PROVIDE SCIREP INTERMEDIATE GUIDANCE.

HODGSON

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